

**5512. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. 300 Sacks of Cottonseed Meal. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 328-c. I. S. No. 20810-m.)**

On February 18, 1917, the United States attorney for the Middle District of Tennessee, acting upon a report by the Commissioner of Agriculture of the State of Tennessee, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped on or about January 19, 1917, by the Sulligent Cotton Oil Co., Sulligent, Ala., and transported from the State of Alabama into the State of Tennessee, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Medium Grade Cotton Seed Meal \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed hulls had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be; and for the further reason that it had been mixed with cottonseed hulls in a manner whereby damage and inferiority were concealed.

It was alleged in substance that the article was misbranded for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cottonseed meal, and was labeled so as to deceive and mislead the purchaser into the belief that it was cottonseed meal, when, in truth and in fact, it was not, but was cottonseed meal mixed with cottonseed hulls; and for the further reason that its packages bore a statement regarding the ingredients and substances contained in the article, to wit, "Ammonia 7.50%," which was false and misleading in that said statement showed the product to contain 7.50 per cent ammonia, when, in truth and in fact, it did not, but contained approximately 6.90 per cent ammonia.

On May 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled so as to show its true contents and be sold at public auction by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*